
WAUKESHA COUNTY BOARD

EXECUTIVE COMMITTEE

MARCH 31, 2014

Committee Members Present:

Chair Paul Decker (left at 10:31 a.m.)

Patricia Haukohl

Gilbert Yerke

David Swan

Duane Paulson

Peter Wolff (left at 10:30 a.m.)

James Heinrich

Others Present:

Chief of Staff Mark Mader

Programs and Projects Analyst Windy Jicha

WCFLS Director Connie Meyer

Land Resources Manager Perry Lindquist

County Board Candidate Christine Howard

Business Manager Peter Mudek

Budget Management Specialist Bill Duckwitz

Librarian Angela Meyers

Citizen Mike Hyland

Legislative Policy Advisor Sarah Spaeth

Director of Parks and Land Use Dale Shaver

Director of Administration Norm Cummings

Solid Waste Supervisor Rebecca Mattano

Citizen Ron Frea

Accounting Services Manager Larry Dahl

Rick Meyers, City of Milwaukee Department of Public Works

Charlene Lemoine of Waukesha Environmental Action League

Thurston Cole, City of Milwaukee Department of Public Works

Principle Assistant Corporation Counsel Erik Weidig

Decker called the meeting to order at 8:32 a.m. and led the committee in the Pledge of Allegiance.

Public Comments

Lemoine said she authored a letter on behalf of the Waukesha Environmental Action League (WEAL) to county board supervisors regarding operational safeguards for the materials recycling facility. WEAL is pleased with Waukesha County and City of Milwaukee's final contract and found that all of WEAL's concerns were addressed and necessary safeguards are in place. Per Paulson's request, Lemoine agreed to send an email to supervisors expressing WEAL's sentiment.

In regards to a federal lawsuit with the Village of Butler and Waukesha County, Hyland gave a brief history of village happenings. Hyland said as a resident of the Village of Butler, he is disgusted that the village leadership has not "stood up and owned" their mistakes which resulted in \$165K in legal fees and salary for a suspended police officer. Hyland would like Waukesha County's Corporation Counsel to tell the Village of Butler to "own up."

Correspondence

A list of correspondence was distributed.

Approve Executive Committee Minutes of March 17, 2014

Motion: Swan moved, Paulson second, to approve the minutes of March 17, 2014 as amended. Motion carried 7-0.

Legislative Review

Spaeth said the Senate's last day is tomorrow. She is encouraging the Senate to pass AB 444, which would exempt Waukesha County from residual tipping fees and save approximately \$30K per year.

Discuss and Consider Ordinance 168-O-116: Modify Waukesha County Federated Library System (WCFLS) 2014 Budget to Accept and Appropriate Grant Funding to Purchase Portable Hearing Loop Systems for the Member Libraries

Motion: Paulson moved, Swan second, to approve Ordinance 168-O-116.

Meyer said Meyers wrote the grant for \$4,670 in federal Library Services Technology Act funding to purchase portable hearing loops for select WCFLS member libraries that chose to participate in the program. Meyers explained how the portable hearing loops work and how the devices enhance library services for people with hearing impairments. The funding would also allow WCFLS to hire Dr. Juliette Sterkens, AuD for a community presentation and demonstration of the technology at the Waukesha Civic Theater, which currently uses the technology.

In response to Yerke's question, Meyer said all member libraries were surveyed and eight indicated they would like to be involved with the project.

Motion carried 7-0.

Motion to Allow Secretary Wolff to Approve the Final Set(s) of Committee Minutes on Behalf of the Committee

Motion: Paulson moved, Haukohl second, to allow Secretary Wolff to approve the final set(s) of committee minutes on behalf of the committee. Motion carried 7-0.

Discuss and Consider the Following Appointments:

Motion: Haukohl moved, Paulson second, to approve the following appointments.

168-A-037: Michael Becker to the Ethics Board

168-A-038: Maria Cizel to the Aging & Disabilities Resource Center Advisory Board

Motion carried 7-0.

County Board Committee Reports by Committee Chairs for the Following 2014 Meetings:

Land Use – March 18 – Heinrich said the committee approved six ordinances and one resolution at this meeting that have since been approved by the county board.

Finance – March 19 –Haukohl said the committee approved three ordinances and two contract procurement processes along with hearing reports on alcohol treatment court fees and revenues, and employee performance evaluations and rewards.

Public Works – March 27 –Swan said the committee approved one ordinance and had reports on performance based contracting and the upcoming constitutional amendment pertaining to the transportation fund.

Judiciary – March 25 –Wolff said the committee approved one ordinance at this meeting.

Human Resources – March 18 – Paulson reported that the committee heard reports on workers compensation claims and employee performance evaluations and rewards and approved one ordinance.

HHS – March 27 – Yerke said the committee approved one ordinance and failed to approve Resolution 168-O-010, which calls for switching to a contracted solution for non-secure residential care services for juveniles in the proposed 2015 budget.

Waukesha County Historical Society Board –Yerke said the county is conducting a building conditions assessment of the museum. Even though attendance was down in February probably due to inclement weather, the historical society provided educational outreach to 1,890 students.

Discuss and Consider Ordinance 168-O-117: Approval of Intergovernmental Cooperation Agreement between Waukesha County and the City of Milwaukee Regarding the Construction and Private Operation of a Joint Recycling Facility

Motion: Paulson moved, Haukohl second, to approve Ordinance 168-O-117.

In response to Haukohl and Heinrich’s questions regarding missing attachments in the intergovernmental agreement, Shaver said the missing attachments are lists of City of Milwaukee equipment.

Shaver alerted the committee to a change in the third paragraph of page 21 of the agreement. The words *“after the initial fifteen (15) year term”* are incorrect and will be stricken from the final agreement. Shaver said the City of Milwaukee will be considering the agreement on April 9, 2014.

Shaver recognized the hard work of City of Milwaukee and Waukesha County staff and county board supervisors who worked on this project. Next, Shaver reviewed a PowerPoint presentation titled *Waukesha County-City of Milwaukee Material Recycling Facility Contract* for Ordinances 168-O-117, 168-O-118 and 168-O-119 including information on project goals, request for proposal (RFP) and recycling processes, municipal involvement and relations, timelines, county legislation, etc.

Material Recycling Facility Project Goals

- Perpetuate municipal tax relief
- Increase recycling volume
- Continue private sector operations of processing
- Continue operations without county tax levy.
- Sustain financial model as long as possible.

How RFP Met Goals

- Best long-term fund balance use for tax relief
- Allows communities to collect more recyclables with a single sort system
- Processing operations continued by private sector
- No tax levy contribution.
- Sustainability projected beyond 15-year duration of the contract

In response to Haukohl’s question, Shaver said the added volume and increased technology will allow increased opportunities to recycle materials. All plastics numbered 1 thru 7 will be recycled at the MRF. Swan asked what happens with plastics numbered 3 thru 7 now? Mattano said the items are considered residue and go into landfills. The Department of Natural Resources exempted Waukesha County from collecting those items until a stable market was available. Markets have recently developed for plastics so now is the time to start recycling them.

In response to Paulson’s question, Shaver said single stream recycling calls for residents to have two containers: one for trash and one for recyclables.

Haukohl asked about the frequency of garbage/recyclable collection. Shaver said municipalities will soon be releasing requests for proposals (RFP) for garbage and recycle collections. Results from the RFPs will help municipalities make decisions on collection frequency, container sizes, curbside versus up-the-drive collection, etc. In order to achieve the largest savings, the county prefers municipalities to use the largest containers available, weekly garbage collection and biweekly recyclables collection.

Yerke asked would municipalities pay tipping fees at the new MRF? Shaver said haulers would pay tipping fees and municipalities pay haulers for service.

Haukohl asked would Brookfield haul material to Milwaukee or the Waukesha transfer station? Shaver said if the cost of transporting materials to Milwaukee is the same or less than hauling to the transfer station, Waukesha County could provide financial incentives to vendors, to encourage them to deliver materials directly to Milwaukee. Eliminating transfer fees could potentially increase municipal payouts. There are advantages to Waukesha County for using its own transfer station such as getting our own weigh of materials.

Haukohl said residents might recycle more materials if they have larger recycle bins. Does bin size affect dividends? Shaver said the larger the bins, the more recyclables that can be collected and the bigger the dividends. The committee further debated the benefits of bin sizes.

Swan asked how is the county educating communities about the new MRF? Shaver said in addition to monthly meetings with community representatives, information has been shared at Waukesha County Collaboration Council meetings and Lindquist has taken his educational "road show" to communities. Shaver said if communities do not know about the changes, then it would not be from the county's lack of effort.

Haukohl said the annual composition analysis measuring tonnage needs to be scientific and objective. Lindquist said national protocol will be followed to complete the analysis. Shaver said ReCommunity, the company awarded the contract to operate the MRF, is an independent and impartial party.

Yerke asked is there any oversight for ReCommunity? Shaver said besides the vendor contract, annual audits will provide oversight. The contract specifies that the facility must run at 98.5% efficiency or the vendor will be required to pay the city and county penalties. In response to Swan's question, Shaver said the city will retain ownership of the building and be responsible for repairing it. Equipment will be jointly purchased.

Haukohl asked what happens if the recycling grant ends? Shaver said that possibility was built into the financial management model. Dividends will be reduced as needed if grant funding is reduced. The current state administration does not anticipate reducing the grants. If anything, the grant program will reward consolidation.

In response to Yerke's concerns, Lindquist said all materials will be weighed going into the center and coming out. A content analysis formula will be used to distribute revenues.

Haukohl said it is important to make sure the equipment reserve fund has enough money to cover equipment breakdowns. Shaver said the city and county are responsible for deciding if more money is needed in the reserve fund. The city and county will continue to reserve funds in the enterprise fund.

Discuss and Consider Ordinance 168-O-118: Amendment of Collaborative Materials Recycling Facility Capital Project 201409

Shaver said this ordinance will increase the budget of the MRF capital project by \$2.3M to purchase advanced equipment to handle a higher level of tonnage processing which would allow the contractor to reduce the per-ton processing fee charged to the county. The added investment will also accommodate

more volume in the future. Additional funds are also necessary to implement pavement (\$400K) and technological improvements (\$200K) at the transfer station and \$100K would be added to the contingency fund. Shaver said the project would not be possible without increased funding.

Motion: Wolff moved, Heinrich second, to approve Ordinance 168-O-118. Motion carried 7-0.

Discuss and Consider Ordinance 168-O-119: Amend Section 14-264 of the Waukesha County Code of Ordinances Regarding Recycling

Motion: Heinrich moved, Swan second, to approve Ordinance 168-O-119.

Shaver said Ordinance 168-O-119 updates the code to incorporate the proposed changes to the county's recycling program for processing and marketing of single stream recyclables and the capital investment. The code needs to be amended to create provisions for the use of the designated facility for recycling solid waste while also correcting an existing error in the numbering of subsection (a).

In response to Haukoil's question, Shaver said this ordinance does not limit the number of municipalities that can join the MRF. All communities were asked to join. Those wishing to join later would start by approving a corresponding resolution.

Yerke asked is there a way for communities to leave the MRF? Shaver said the Department of Natural Resources is searching the statutes for such a provision. Yerke asked what happens if communities find a way to handle waste more economically? Shaver said he does not think municipalities will find a more economical way of handling waste because cost is based on tonnage. The more one has, the better the price. He does not know if municipalities could leave the MRF once they join. Cummings said MRF savings are based on an economy of scale. One community has no leverage when negotiating prices.

The motion to approve Ordinance 168-O-119 carried 7-0.

The motion to approve Ordinance 168-O-117 carried 7-0.

Shaver said he estimates the MRF will be running approximately 35 weeks after the ordinances are approved by the county board.

Wolff left the meeting at 10:30 a.m. Decker recused himself from review of the annual audit plan and left the meeting at 10:33 a.m. Haukoil chaired the remainder of the meeting.

Discuss and Consider Annual Audit Plan

Schubert reviewed a memo dated March 28, 2014 titled *Internal Audit Plan Update* and the 2014-2015 audit work plan. The three-year audit plan, which is updated annually, indicates the major projects that will be undertaken by the internal audit staff. The plan is a flexible planning document and subject to change based on tasks that arise during the year, modifications of project scopes, requests for assistance by departments or to accommodate significant department scheduling conflicts.

In response to Paulson's question, Schubert said none of the audits is the result of questionable experiences. Problematic issues are usually handled promptly and preempt scheduled projects.

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Haukohl asked why is the contracted collections/business services audit scheduled for such a long period in 2015? Schubert said for contracted audits, she tries to offer a flexible timeframe for vendors in order to get the best prices. The flexibility is provided to increase competition and decrease pricing.

Motion: Heinrich moved, Paulson second, to accept the 2014-2016 annual audit plan. Motion carried 5-0.

Motion: Swan moved, Paulson second, to adjourn the meeting at 10:41 a.m. Motion carried 5-0.

Respectfully submitted,

Peter Wolff
Secretary